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Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF SINH NGUYEN IN
SUPPORT OF PLAINTIFF SINHDARELLA,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

DECLARATION OF SINH NGUYEN

I, Sinh Nguyen, hereby declare under penalty of perjury that:

1. I am the Secretary and co-founder of Sinhdarella, Inc.
2. At least as early as June 2005, I was considering opening a THE BOILING CRAB® restaurant in San Jose, California.
3. In July 2005, I first spoke with Giang Nguyen about the possibility of him operating a THE BOILING CRAB® restaurant in San Jose.
4. On or about August and September 2005, I took several road trips to San Jose to evaluate the Vietnamese community and potential market. During those trips, I also met with several crawfish suppliers in Sacramento, California. I made trips to San Jose and Sacramento about twice a week to pick up crawfish while evaluating potential neighborhoods for a THE BOILING CRAB® restaurant.
5. In the last week of August 2006, I drove up to San Jose with my brother-in-law to check out the area again.
6. In October 2006, I drove up to San Jose with Giang Nguyen to evaluate potential locations for a THE BOILING CRAB® restaurant.
7. Since Giang Nguyen moved back to Texas in February 2007, I have remained active in searching for a location for a THE BOILING CRAB® restaurant in San Jose. I have evaluated several potential locations as they have become available. For example in mid June 2007, Sinhdarella, Inc. was contacted by Le Tran for available suites in Senter Plaza, a new shopping plaza. As of December 2007, Sinhdarella is working with a broker by the name Jerry Huynh to find a suitable San Jose location for a THE BOILING CRAB® restaurant.
8. On December 12, 2007, I flew up to San Jose with my wife, Dada Ngo, to meet with Jerry regarding a space that had become available. We are currently putting together a "Letter of Intent" for the landlord at this property.
9. On December 19, 2007, I will be flying to Richmond, Virginia to view another potential

1 property to open a THE BOILING CRAB® restaurant on the East coast.

2 I declare under penalty of perjury of the laws of the United States that the
3 foregoing is true and correct.

4 Executed this 19 day of December, 2007 at Garden Grove, California.

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Sinh Nguyen

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PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 650 Town Center Drive, 20th Floor, Costa Mesa, CA 92626-1925.

On **December 28, 2007**, I served the following document described as:

DECLARATION OF SINH NGUYEN IN SUPPORT OF PLAINTIFF SINHDARELLA, INC.'S MOTION FOR PRELIMINARY INJUNCTION

by serving a true copy of the above-described document in the following manner:

BY U.S. MAIL

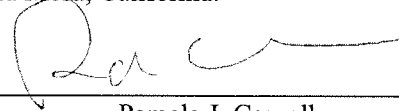
I am familiar with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service. Under that practice, documents are deposited with the Latham & Watkins LLP personnel responsible for depositing documents with the United States Postal Service; such documents are delivered to the United States Postal Service on that same day in the ordinary course of business, with postage thereon fully prepaid. I deposited in Latham & Watkins LLP' interoffice mail a sealed envelope or package containing the above-described document and addressed as set forth below in accordance with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service:

Christopher Hays, Esq.
Law Offices of Christopher Hays
One Embarcadero Center, Suite 500
San Francisco, California 94111

Attorneys for Defendant
Kevin Vu

I declare that I am employed in the office of a member of the Bar of, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **December 28, 2007**, at Costa Mesa, California.



Pamela J. Carvalho